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HOMELAND INSURANCE  
14 COMPANY OF NEW YORK

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 KEMPER INDEPENDENCE INSURANCE  
COMPANY, an Illinois corporation

18 Plaintiff,

19 vs.

20 HOMELAND INSURANCE COMPANY OF  
21 NEW YORK, a New York corporation,

22 Defendant.  
23

Case No. 5:22-cv-05041-SVK

**JOINT STIPULATION AND [PROPOSED]  
ORDER OF DISMISSAL**

Judge: Hon. Susan van Keulen

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25 IT IS HEREBY STIPULATED by and between Plaintiff Kemper Independence Insurance  
26 Company and Defendant Homeland Insurance Company of New York, through their designated  
27 counsel, that the above-captioned action be and hereby is dismissed with prejudice pursuant to FRCP

41(a)(1)(A)(ii) with each party bearing its own attorney's fees and costs of litigation.

Dated: June 6, 2023

NICOLAIDES FINK THORPE  
MICHAELIDES SULLIVAN LLP

By: /s/ Tamiko A. Dunham  
Tamiko A. Dunham  
Attorney for Defendant Homeland Insurance  
Company of New York

Dated: June 6, 2023

WILLIAMS & WOLLITZ PC

By: /s/ Howard N. Wollitz  
Howard N. Wollitz  
Attorney for Plaintiff Kemper Independence  
Insurance Company

**Statement of Authority to File**

Per Civil L.R. 5-1(h)(3), I attest that all signatories on this document and on whose behalf the filing is submitted concur in the filing's content and have authorized the filing of this document.

Dated: June 6, 2023

NICOLAIDES FINK THORPE  
MICHAELIDES SULLIVAN LLP

By: /s/ Tamiko A. Dunham  
Tamiko A. Dunham  
Attorney for Defendant Homeland Insurance  
Company of New York

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4 **UNITED STATES DISTRICT COURT**  
5 **NORTHERN DISTRICT OF CALIFORNIA**

6 KEMPER INDEPENDENCE INSURANCE  
7 COMPANY,

8 Plaintiffs,

9 vs.

10 HOMELAND INSURANCE COMPANY OF  
11 NEW YORK, a New York corporation,

12 Defendants.

Case No. 5:22-cv-05041-SVK

**[PROPOSED] ORDER OF DISMISSAL**

Honorable Susan van Keulen

13 Pursuant to the parties' Stipulation, and good cause appearing, IT IS HEREBY ORDERED  
14 that the above-entitled action is dismissed in its entirety with prejudice with each party bearing its  
15 own attorney's fees and costs of litigation.

16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

17 Dated: \_\_\_\_\_

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19 \_\_\_\_\_  
20 Honorable Susan van Keulen  
21 United States Magistrate Judge  
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